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No. 142

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

September 5, 2017.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

PAUL D. RYAN,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:
Dear Lord, we give You thanks for giving us another day.

In the wake of a great American holiday, we ask Your special blessing on American workers: those fortunate to have jobs during these difficult economic times, and those desiring work. May they know and be confident of the nobility and sacredness of their labor.

Lord, the task facing the Nation's Congress is a difficult one, which will call upon each Member to consider what is best for American workers first. It is the challenge facing all Americans.

Give the Members wisdom in their work, that our economy might continue to rebound, and our countrymen and -women throughout these United States be able to provide for their families to build lives we have all come to expect for our citizens.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Florida (Mr. GAETZ) come forward and lead the House in the Pledge of Allegiance.

Mr. GAETZ led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

DACA

(Mr. GAETZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GAETZ. Madam Speaker, I take to the floor of the House today to support President Trump's decision as it relates to DACA.

America must be a nation of laws, and those laws must be passed by the Congress. This is the promise made in our Constitution and ensured by our enduring liberty. President Obama was incorrect to unilaterally act in this program; President Trump is correct to put the power back in the hands of the people's representatives.

America must also be a nation of borders, and we erode the virtue and value of those borders when we draw people across those borders illegally. There is nothing compassionate about telling the rest of the world that, so long as a child arrives here, that child will be treated as if they have the same virtues and values of American citizens, if they committed the criminal offense of unlawful entry into the country.

Challenges we have seen with undocumented minors being sent has created humanitarian crises, and I believe

that DACA and other programs that draw those across our borders illegally have contributed to those crises. I support the President. We should end DACA.

DACA

(Ms. BARRAGÁN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BARRAGÁN. Madam Speaker, I rise today because I am fired up. I am angry about the decision that the President made today on DACA.

I want to thank the thousands of people who have risen up across this country—from Houston, to Philly, to Los Angeles, to Denver—to say that they are going to have their voices heard. They need to continue to sound that voice.

What about the promise the government made to these young people that said: If you come forward and come out of the shadows, we are going to protect your information? What about that promise?

I want every DREAMer to know that I stand with them and that I am going to fight like hell here in Congress to make sure that we protect them and to make sure that we honor the promise that we made. These people are our doctors, our teachers, our neighbors, and, in my case, my cousin.

I call on Congress and my colleagues across the aisle who have been speaking up on this issue in support of DACA protections to do more than speak, and to act—to act now and to act fast.

CONGRESS SHOULD MAKE IMMIGRATION POLICIES

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, today President Trump delivered on

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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his promise to the American people. He said he would discontinue the DACA immigration program, which allows hundreds of thousands of illegal immigrants to stay in the country and receive work permits.

By ending the unconstitutional DACA program, he has overturned the last of President Obama's amnesty agenda and returned to the rule of law. President Obama, a former constitutional law professor, said many times that DACA was unconstitutional.

Congress and the administration should strengthen our laws against illegal immigration and ensure that our immigration policies put unemployed Americans first. The U.S. labor participation rate is at a 40-year low.

President Trump is right to discontinue the DACA program and let Congress address immigration policies, including securing the border.

EDUCATION FUNDING

(Mr. MARSHALL asked and was given permission to address the House for 1 minute.)

Mr. MARSHALL. Madam Speaker, I rise today to discuss education: the building block to a successful future.

As a father and, now, a grandfather for the second time, I know our education system is of the utmost importance. Education is truly one of the pillars of my life.

I am a strong advocate for limiting the scope of the Federal Government in education decisions. Our school boards and teachers understand what works best for these individual students, and providing them control to make their own decisions ensures the best results for our students.

I am encouraged to see the House retain and increase many of the Federal funding levels for education, including funding for career and technical education State grants. I am very pleased to see Congress increase funding for IDEA, the Individuals with Disabilities Education Act, by \$200 million.

I urge my colleagues to also talk to their local teachers, administrators, and students to see what works and what doesn't.

Educating the next generation is one of the most sacred responsibilities, and I thank those like I met with who dedicate their lives to that cause.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 5 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

RESTRAINING EXCESSIVE SEIZURE OF PROPERTY THROUGH THE EXPLOITATION OF CIVIL ASSET FORFEITURE TOOLS ACT

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1843) to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1843

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clyde-Hirsch-Sowers RESPECT Act" or the "Restraining Excessive Seizure of Property through the Exploitation of Civil Asset Forfeiture Tools Act".

SEC. 2. INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.

Section 5317(c)(2) of title 31, United States Code, is amended—

(1) by striking "Any property" and inserting the following:

"(A) IN GENERAL.—Any property"; and

(2) by adding at the end the following:

"(B) INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.—

"(i) PROPERTY DERIVED FROM AN ILLEGAL SOURCE.—Property may only be seized by the Internal Revenue Service pursuant to subparagraph (A) by reason of a claimed violation of section 5324 if the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.

"(ii) NOTICE.—Not later than 30 days after property is seized by the Internal Revenue Service pursuant to subparagraph (A), the Internal Revenue Service shall—

"(I) make a good faith effort to find all persons with an ownership interest in such property; and

"(II) provide each such person with a notice of the seizure and of the person's rights under clause (iv).

"(iii) EXTENSION OF NOTICE UNDER CERTAIN CIRCUMSTANCES.—The Internal Revenue Service may apply to a court of competent jurisdiction for one 30-day extension of the notice requirement under clause (ii) if the Internal Revenue Service can establish probable cause of an imminent threat to national security or personal safety necessitating such extension.

"(iv) POST-SEIZURE HEARING.—If a person with a property interest in property seized pursuant to subparagraph (A) by the Internal Revenue Service requests a hearing by a court of competent jurisdiction within 30 days after the date on which notice is provided under subclause (ii), such property shall be returned unless the court holds an adversarial hearing and finds within 30 days of such request (or such longer period as the court may provide, but only on request of an interested party) that there is probable cause to believe that there is a violation of section 5324 involving such property and probable cause to believe that the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324."

SEC. 3. EXCLUSION OF INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before section 140 the following new section:

"SEC. 139G. INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

"Gross income shall not include any interest received from the Federal Government in connection with an action to recover property seized by the Internal Revenue Service pursuant to section 5317(c)(2) of title 31, United States Code, by reason of a claimed violation of section 5324 of such title."

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting before the item relating to section 140 the following new item:

"Sec. 139G. Interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Massachusetts (Mr. NEAL) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material for H.R. 1843, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if a person deposits \$10,000 or more into a financial institution, that institution must submit a currency transaction report to the Treasury Department. Avoiding this reporting requirement by purposefully staying below the \$10,000 limit is a Federal crime known as structuring.

Structuring was made illegal in 1986 to prevent large-scale criminal enterprises, terrorists, and money launderers from hiding their illegally earned money from authorities by consistently depositing just shy of that